

The Honorable Mary Jo Heston
Chapter 13
Hearing Date: October 25, 2017
Hearing Time: 1:00 pm
Response Date: October 18, 2017
Hearing Location: Tacoma, WA

IN THE UNITED STATES BANKRUPTCY COURT
IN AND FOR THE WESTERN DISTRICT OF WASHINGTON AT TACOMA

In re:

CHRISTOPHER GEORGE CARPER
KRYSTA GAYLE CARPER

Case No. 17-40600-MJH

MOTION TO APPROVE SETTLEMENT
AWARD EXEMPTION & ADDITIONAL
SETTLEMENT TO DEBTORS

COMES NOW Christopher George Carper and Krysta Gayle Carper, the above
referenced Debtor(s) and files this Motion to Approve Settlement and Approve Debtor(s)
Exemptions and award additional settlement funds to Debtors

The Debtor was involved in a car accident in August 2017 with the 1995 Ford F150 listed
in his schedules and his insurance company made two settlement payments to the Chapter 13
Trustee in the amount of \$1694.62 and \$5261.63 on August 14, 2017.

The Debtors Amended their schedules to exempt \$5622.25 as insurance proceeds for
personal injury payments and \$960.00 under the “wildcard” of Wash. Rev. Code Section
6.15.010(1)(c)(ii). The Trustee has objected to the \$5622.25 for a personal injury claim without
objection from the Debtors.

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2 Schedules B and C have been amended to remove the personal injury exemption and to
3 include the value of both settlement checks for the accident. The Debtors would request,
4 however that they be allowed to have their \$960.00 wildcard exemption approved and would ask
5 for an additional \$1000.00 so that they can repair the current vehicle which needs a new bed and
6 the axle to be straightened out so that they will not have to lower their Plan payments and get a
7 new vehicle.
8

9 The Debtors have two other vehicles however the Joint debtor drives the 2007 Chevy
10 Malibu and the 1991 Honda Accord is their minor son's vehicle who purchased it with his own
11 money and is not running or safe to drive as it has over 200,000 miles on it.
12

13 **WHEREFORE** Debtor(s) pray for approval of the insurance proceeds settlements in the
14 amounts of \$1694.62 and \$5621.63, and for approval of Debtor(s) exemptions in the amount of
15 \$960.00 and for an additional \$1000.00 from the settlement to be used for the Debtor to repair
16 the vehicle which was damaged in the accident with the remainder of the funds to be used to pay
17 off the secured debt on the vehicle and any remaining funds to be committed to the Plan.
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19 Dated September 26, 2017
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21 Presented by:
22

23 /s/ Ellen Ann Brown
24 Ellen Ann Brown WSB27992
Attorney for Debtors
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